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Attorneys for Defendants
Wachovia Corporation and
World Savings Bank, FSB

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO/OAKLAND DIVISION

JAVIER ZAMORA and LETICIA ZAMORA and
DANIEL PEREZ and ELIZABETH PEREZ,

No.: C 07 4603 TEH

Plaintiffs,

VS.

**WACHOVIA CORPORATION and WORLD
SAVINGS BANK ,**

**REQUEST FOR JUDICIAL NOTICE IN
SUPPORT OF WACHOVIA
CORPORATION'S MOTION TO DISMISS**

Date: December 10, 2007

Defendants.

ANN. —

The Honorable Thelton E. He

Pursuant to Rule 201 of the Federal Rules of Evidence, defendant Wachovia Corporation respectfully requests that judicial notice be taken of the following facts and documents:

1. Wachovia Corporation is a financial holding company organized under the Bank Holding Company Act of 1956. The Federal Deposit Insurance Corporation ("FDIC") maintains an official web site on the internet address <http://www2.fdic.gov/idasp/> on which it publishes an Institution Directory Database which includes a "Bank Holding Company List." Attached hereto as

1 Exhibit A is a true and correct copy of an October 30, 2007 print out from the FDIC website
2 showing the "Bank Holding Company Detail" for Wachovia Corporation. This information is a fact
3 that is not reasonably subject to dispute and capable of immediate and accurate determination by
4 resort to a source of reasonably indisputable accuracy, within the meaning of Federal Rule of Civil
5 Procedure Rule 201.

6

7 2. World Savings Bank, FSB is a federally chartered association. The Office of Thrift
8 Supervision ("OTS") of the United States Department of the Treasury maintains an official web site
9 on the internet address <http://www.ots.treas.gov/> on which it publishes an Institution Directory
10 Database of all financial institutions which are regulated by the Office of Thrift Supervision.
11 Attached hereto as Exhibit B is a true and correct copy of a page from the Institution Directory
12 Database, printed on October 30, 2007 which lists World Savings Bank, F.S.B. as a federal savings
13 bank regulated by the Office of Thrift Supervision. Attached hereto as Exhibit C is a true and
14 correct copy of a Certificate of Corporate Existence for World Savings Bank, FSB issued by the
15 OTS. This information is a fact that is not reasonably subject to dispute and capable of immediate
16 and accurate determination by resort to a source of reasonably indisputable accuracy, within the
17 meaning of Federal Rule of Civil Procedure Rule 201.

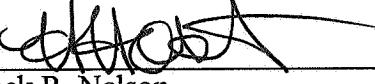
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19 3. The internet web-site of Wachovia. Plaintiffs make reference to Wachovia's web-site
20 in their complaint, without attaching the referenced pages, and, accordingly, this Court may consider
21 the site. *See Van Buskirk v. CNN*, 284 F.3d 977, 980 (9th Cir. 2002) (court may consider documents
22 incorporated by reference in ruling on 12(b)(6) motion.) Attached hereto as Exhibit D are true and
23 correct copies of print-outs, printed on October 30, 2007, from the web-site at the intranet addresses
24 http://www.wachovia.com/inside/page/0,,132_152,00.html,
25 http://www.wachovia.com/inside/page/0,,133_205_10949_10950,00.html and
26 http://www.wachovia.com/inside/page/0,,131_10466_12314,00.html. This information is a fact that
27 is not reasonably subject to dispute and capable of immediate and accurate determination by resort to
28

1 a source of reasonably indisputable accuracy, within the meaning of Federal Rule of Civil Procedure
2 Rule 201.

3 DATED: October 30, 2007.
4

5 REED SMITH LLP
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DOCSSFO-12497092.1

REED SMITH LLP
A limited liability partnership formed in the State of Delaware

EXHIBIT A

Bank Holding Company List

1 record was found matching your selection criteria

Multibank and One Bank HCs, Anywhere in U.S. and Name contains Wachovia Corporation
Sorted by Total Assets(\$000)

Demographic information reflects the list of Institutions as of August 27, 2007.

Financial information as of 6/30/2007.

Showing Record 1 - 1 of 1 Institutions found.

[<< Previous] Page of 1 [Next >>]

BHC ID	Bank Holding Company Name	City	State	Associated Institutions	Combined Bank/Thrift Subsidiary Domestic Deposits (\$000)*	Combined Bank/Thrift Subsidiary Assets (\$000)
1073551	WACHOVIA CORPORATION	Charlotte	NC	5	392,738,009	672,317,237

Showing Record 1 - 1 of 1 Institutions found.

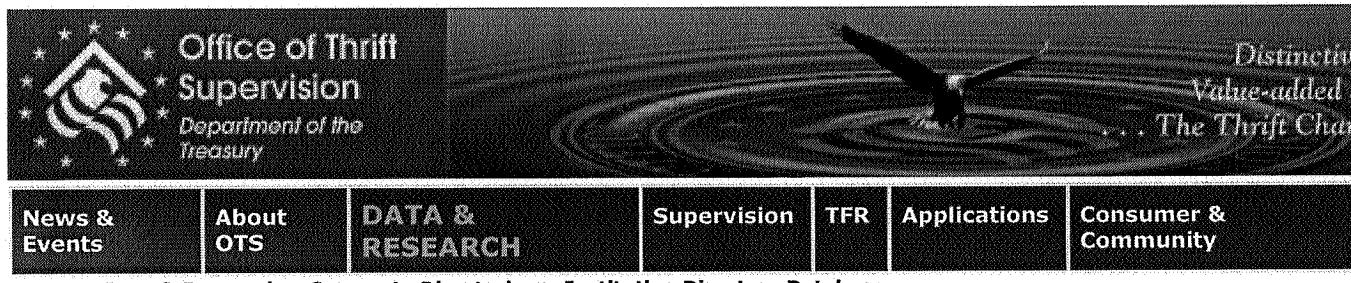
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* Financial data for bank holding companies represent combined amounts for all FDIC-insured bank and thrift subsidiaries, and do **not** reflect nondeposit subsidiaries or parent companies. Account balances have **not** been adjusted for intra-company transactions. Additional holding company information can be found at the website for the Federal Reserve System--National Information Center (NIC).

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EXHIBIT B



[Home](#) > [Data & Research](#) > [Corporate Directories](#) > [Institution Directory Database](#)

World Savings Bank, FSB DETAILS

Effective March 31, 2006 all savings associations are insured by the Deposit Insurance Fund (DIF). Charter type descriptions reflect the prior insurance fund.

Docket	Region	Name/Location Telephone	Mailing Address
12642	West	World Savings Bank, FSB 1970 Broadway Oakland, CA 94612-0000 510-446-6000	1901 Harrison St Oakland, CA 94612-3574
Charter Type Assets (\$000)	Cycle	Officer/TITLE	Fax
BIF-Ins Fed Stk SB \$ 126,764,379	200706	Benjamin P. Jenkins COB, CEO, President	510-446-4530

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EXHIBIT C



**Office of Thrift Supervision
Department of the Treasury**

1700 G Street, N.W., Washington, D.C. 20552 • (202) 906-6000

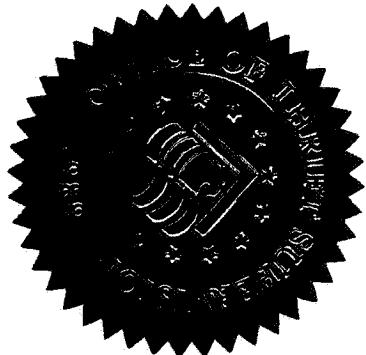
April 21, 2006

CERTIFICATE OF CORPORATE EXISTENCE

REFERENCE: World Savings Bank, FSB
Oakland, California

I, Nadine Y. Washington, Corporate Secretary, Office of Thrift Supervision, hereby certify, according to the records of the Office of Thrift Supervision, Department of the Treasury, Washington, DC:

1. World Savings Bank, FSB, Oakland, California, was chartered under the laws of the United States to transact the business of a Federal savings bank;
2. The charter of World Savings Bank, FSB, Oakland, California, is in full force and effect;
3. The Office of Thrift Supervision has not appointed a conservator or receiver for World Savings Bank, FSB, Oakland, California; and
4. As of April 21, 2006, World Savings Bank, FSB, Oakland, California, is operating as a BIF-insured financial institution.



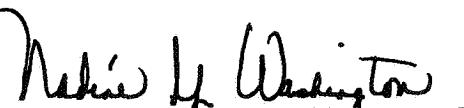

Nadine Y. Washington
Nadine Y. Washington
Corporate Secretary

EXHIBIT D



WACHOVIA

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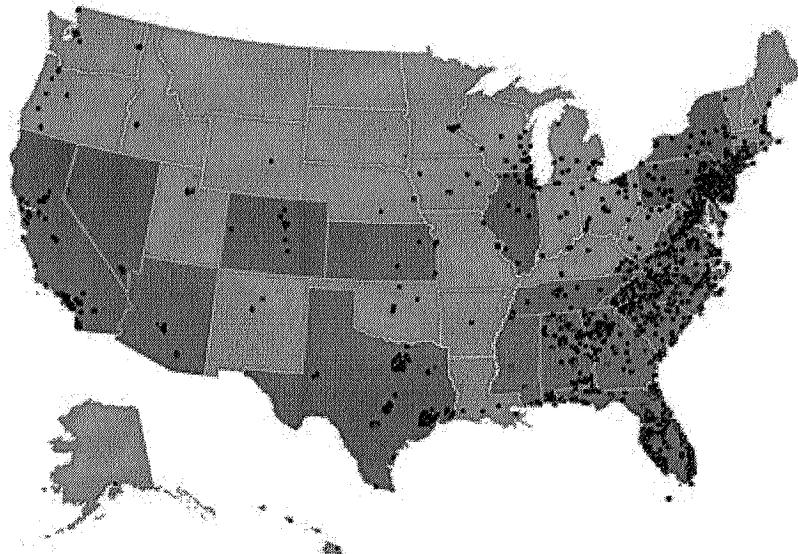
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COMPANY LOCATIONS

We offer a full array of financial services to our customers through Wachovia offices in 21 states and Washington, DC. With the acquisition of Golden West Financial, parent of World Savings Bank, Wachovia strengthens its position in California, Texas, Florida, New Jersey and New York, and enters attractive metropolitan areas in five additional states: Arizona, Colorado, Illinois, Kansas, and Nevada.

- Alabama
- Arizona
- California
- Colorado
- Connecticut
- Delaware
- Florida
- Georgia
- Illinois
- Kansas
- Maryland
- Mississippi
- Nevada
- New Jersey
- New York
- North Carolina
- Pennsylvania
- South Carolina
- Tennessee
- Texas
- Virginia

In addition, we are pleased to serve customers' brokerage and asset management needs through Wachovia Securities, LLC offices nationwide. We also serve corporate and investment banking clients in selected corporate and institutional sectors globally. Other nationwide businesses include mortgage lending in 50 states and auto finance covering 46 states. Globally, Wachovia serves international clients through more than 40 offices.



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|------------------------------|-------------------------------|
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| ■ Retail Brokerage Locations | ● Wealth Management Locations |
| ▲ Mortgage Locations | |

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1999 – PRESENT MERGER AND INVESTMENT HISTORY

Trace the company's growth from 1999 to the present day.

Closed	Acquiree or Investment/Headquarters	Transaction Type/Payment	Exchange Ratio/Price Per Share
10/01/2007	A.G. Edwards, Inc. St. Louis, Missouri	Purchase/Cash and Stock	0.9844/\$35.80
01/31/2007	European Credit Management London, England	Purchase/Private	Private
10/01/2006	Golden West Financial Corporation, parent of World Savings Bank Oakland, CA	Purchase/77% Stock; 23% Cash	1.05105/\$18.6461
06/01/2006	Defined contribution record-keeping business of Ameriprise Financial, Inc. Minneapolis, MN	Purchase/Private	Private
06/01/2006	Metropolitan West Capital Management, LLC Newport Beach, CA	Purchase/Private	Private
05/15/2006	American Property Financing, Inc. (APF) New York, NY	Purchase/Private	Private
03/01/2006	Westcorp and WFS Financial, Inc. Irvine, CA	Purchase/Stock	Westcorp 1.2749/WFS Financial 1.4661
12/12/2005	AmNet Mortgage, Inc. San Diego, CA	Purchase/Cash	\$10.30
11/14/2005	Minority ownership stake in Golden Capital Management, LLC. Charlotte, NC	Purchase/Private	Private
10/06/2005	International banking business of UnionBanCal Corporation San Francisco, CA	Purchase/Cash	Private
05/06/2005	Palmer & Cay, Inc. (insurance brokerage) Savannah, GA	Purchase/Private	Private
11/01/2004	SouthTrust Corporation Birmingham, AL	Purchase/Stock	0.89
11/01/2004	Tanager Financial Services, Inc. Waltham, Mass.	Purchase/Private	Private
01/01/2004	Metropolitan West Securities, LLC Los Angeles, CA, and Short Hills, NJ	Purchase/Private	Private
12/31/2003	The Bank of New York's Employee Investment Plans Division's daily record-keeping and trustees services business New York, NY	Purchase/Private	Private
12/22/2003	Correspondent banking payment processing	Purchase/Private	Private

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	unit of Harris Bank International Corporation New York, NY		
12/17/2003	Lend Lease Mortgage Capital Dallas, TX	Purchase/Private	Private
11/26/2003	AMI Capital Inc., commercial real estate lender Bethesda, MD	Purchase/Private	Private
07/01/2003	Wachovia Corp.-Prudential Financial, Inc., retail brokerage combination Newark, NJ	Purchase/-	-
06/30/2003	Retirement services business of PFPC, Inc. Wilmington, DE	Purchase/Private	Private
11/01/2002	J.L. Kaplan Associates, LLC Boston, MA	Purchase/Cash	Private
10/01/2002	Certain assets of E-Risk Services, LLC Flanders, NJ	Purchase/Cash	Private
08/30/2002	Cameron M. Harris & Company Charlotte, NC	Purchase/Stock	Private
12/31/2001	Info-One Campbell, CA	Purchase/Cash	Private
11/07/2001	Assets of Crawford, Slevin & Hicks Sparks, MD	Purchase/Cash	Private
11/01/2001	Rhodes Agency Hawthorne, NJ	Purchase/Stock	Private
11/01/2001	Olympic Insurance Associates Iselin, NJ	Purchase/Cash	Private
09/01/2001	Wachovia Corporation Winston-Salem, NC	Purchase/Stock	2.00 +\$0.48 cash or 2 DEPs
05/31/2001	Benefit Resources Inc. Mt. Laurel, NJ	Purchase/Cash	Private
05/15/2001	Dilks Cos. Inc. Moorestown, NJ	Purchase/Cash	Private
01/01/2001	JW/Genesis Financial Corp. Boca Raton, FL	Purchase/Cash	\$12.00
08/31/2000	The Tribus Companies, Inc. Wayne, NJ	Purchase/Stock	Private
08/04/2000	First Albany Companies Albany, NY	Purchase/Cash	Private
07/25/2000	Pivot.com Columbus, Ohio	Purchase/Cash	\$4 million
06/01/2000	Forum Capital Markets, LLC Old Greenwich, CT	Purchase/Cash	Private
10/01/1999	EVEREN Capital Corporation Chicago, IL	Purchase/Stock	0.8286
06/04/1999	Tattersall Advisory Group Richmond, VA	Purchase/Cash	Private

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DEPOSIT CONVERSION INFORMATION

As part of our merger process, we will be converting our financial centers to serve you under the Wachovia name and brand. Once this process is complete, you will have full access to your accounts at over 3,400 financial centers and 5,100 ATMs nationwide.

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